

# Notice of Allowability

Application No.

09/515,037

Examiner

JEAN B. FLEURANTIN

Applicant(s)

BERGSTRAESSER ET AL.

Art Unit

2162

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 19 July 2004.
2. ☒ The allowed claim(s) is/are 1,3-5,8,10,12,13,15 and 44-61.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 7.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

  
**SHAHID ALAM**  
**PRIMARY EXAMINER**

### **DETAILED ACTION**

1. This is in response to the Applicant's arguments filed 19 July 2004, with respect to claims 1, 3-8, 10, 12, 13, 15, 38, 39, 42 and 44-51 have been fully considered and are persuasive. Therefore, the rejection of claims 1, 3-8, 10, 12, 13, 15, 38, 39, 42 and 44-51 has been withdrawn. New claims 52-61 are added. Claims 6, 7, 38, 39 and 42 are canceled as indicated in sections 3 and 4.

2. Claims 1, 3-5, 8, 10, 12, 13, 15 and 44-61 remain pending for examination.

### ***Election/Restrictions***

3. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1, 3-5, 8, 10, 12, 13, 15 and 44-61, drawn to a computerized method for updating a version of an object having a property, the method comprising: receiving an updated value for the property, wherein the property is a piece of data of the object, classified in class 707, subclass 103R.

II. Claims 6, 7, 38, 39 and 42, drawn to a computer-readable medium having a data structure stored thereon, the medium comprising: a first field comprising a key identifying an object, classified in class 707, subclass 104.1.

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The inventions are distinct, each from the other because of the following reasons:

Invention listed Group I and Group II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention has separate utility as follow.

Group I. A computerized method for updating a version of an object having a property, the method comprising: receiving an updated value for the property, wherein the property is a piece of data of the object.

Group II. A computer-readable medium having a data structure stored thereon, the medium comprising: a first field comprising a key identifying an object.

See MPEP § 806.05(d).

Because these inventions are distinct for the reasons give above and have acquired a separate status in the art as shown by their different classifications, restriction for examination purposes is proper.

Because these invention are distinct for the reasons given above and the search for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

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Applicant(s) are reminded that upon the cancellation of claims to a non-elected invention the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

During a telephone conversation with Mr. Bruce D. George (Reg. No. 43,631) on November 19, 2004 a provisional election was made without traverse to prosecute the invention of Group I, claims 1, 3-5, 10, 12-16 and 44-51. Affirmation of this election must be made by the applicant in replying to this Office Action. Claims 6, 7, 38, 39 and 42 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

#### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Bruce D. George (Reg. No. 43,631) on November 18, 2004.

The application has been amended as follows:

In the claims,

Please cancel claims 6, 7, 38, 39 and 42.

### **REASONS FOR ALLOWANCE**

5. With respect to claims 1, 3-5, 8, 10, 12, 13, 15 and 44-61 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

With respect to claims 1, 8, 13 and 15, the claimed features "setting a property value field in the second data structure to the updated value for the property, wherein the start version field and the end version field in the second data structure define a range of versions including the updated value for the property; wherein version and property value fields of the data structures record properties of the object and associated versions of the object facilitating a recalling and generating of the object without requiring a copying of the object" in conjunction with other elements of the independent claims would not found anticipated or obvious over the prior art made of record. With respect to claim 57, the claimed features "setting a second end version to a second end value representing a version of the object, wherein the second end version is associated with the value for the property received, wherein the second end value of the second end version defines an end of the second range of versions of the object for which the property has the value for the property received; wherein the object including the value of the property received can be generated without copying the object including the value of the property received" in conjunction with other elements of the independent claims would not found anticipated or obvious over the prior art made of record.

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The dependent claims, being definite, further limiting, and fully enabled by the specification are also allowed.

6. The closest prior art, Chou et al., A Unifying Framework for Version Control in a CAD Environment, relates to version control. Lillich U.S. Patent Number 5,613,101 relates to checking whether interoperating components are compatible within a specified compatibility range but fail to teach the above limitations.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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### CONTACT INFORMATION

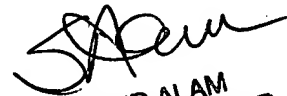
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-308-6606.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jean Bolte Fleurantin

18 November 2004

  
SHAHID ALAM  
PRIMARY EXAMINER